

2009SP-004-001

Horrell Properties SP

Map: 093-14 Parcel: 499

Downtown Community Plan

Council District 19 – Erica S. Gilmore

Staff Reviewer: Jason Swaggart

A request to change from CF to SP-A zoning and for final site plan approval for property located at 809 5th Avenue South, approximately 150 feet south of Ash Street (0.69 acres), to permit wrecker service, auto repair and all other uses permitted in the CF zoning district, requested by John and Gayle Horrell, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary SP and Final Site Plan

A request to change from Core Frame (CF) to Specific Plan-Auto (SP-A) zoning and for final site plan approval for property located at 809 5th Avenue South, approximately 150 feet south of Ash Street (0.69 acres), to permit wrecker service, auto repair and all other uses permitted in the CF zoning district.

Existing Zoning

CF District - Core Frame is intended for a wide range of parking and commercial service support uses for the central business District.

Proposed Zoning

SP-A District - Specific Plan-Automobile is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes wrecker service and automobile repair uses.

DOWNTOWN COMMUNITY PLAN

Structure Policy

Mixed Use (MxU) MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Lafayette Detailed Neighborhood Design Plan

Downtown Neighborhood (DN) Downtown Neighborhood policy applies to those parts of Downtown where intense, mixed use development that includes a significant residential component is desired. The development should be created at a scale less intense than the Downtown Core. Downtown Neighborhood policy is only used in the *Downtown Community Plan: 2007 Update* in many of the seventeen Downtown neighborhoods. Each neighborhood has its own unique character and intended development pattern, which are further defined in each neighborhoods' Building Regulating Plan, found in the *Downtown Community Plan: 2007 Update*.

Consistent with Policy? Yes. The proposed plan is consistent with the area's policies. While auto-oriented uses may not be conducive to creating a pedestrian-oriented streetscape, the applicant has designed a site plan that will bring the property closer to the goal of creating a pedestrian-oriented streetscape that is consistent with the intent of the policy. The plan proposes to new landscaping adjacent the sidewalk, as well as, the repair of the existing retaining wall adjacent to the sidewalk. The plan also calls for the chain link fence to be replaced with a solid wood fence which will restrict visibility into the back yard. These improvements will improve the appearance along 5th Avenue, and help to create a more pedestrian oriented environment.

PLAN DETAILS The site is currently developed and consists of a one story, 2,500 square foot building and large unpaved parking lot. According to the applicant, the wrecker service and auto repair shop has been operating out of this location for over ten years. Even though it has been operating for many years, it was recently discovered that it was never permitted and was operating illegally. As these type of uses now require SP zoning, the applicant is requesting SP approval to allow the use to continue.

The site plan calls for the existing building to remain but calls for several improvements to the property.

Fencing The front of the site is currently enclosed by a 5 foot chain link fence with barbed wire. The plan proposes a new solid 6' tall wooden fence to replace the chain link fence along 5th Avenue.

Landscaping Currently, there is no landscaping along 5th Avenue. The plan calls for new landscaping between the new wooden fence and the sidewalk. It will consist of hollies and a pin oak.

Parking and Access Currently the drive is constructed of gravel. There is no defined parking area in front of the building and automobiles typically park in the grass between the building and the sidewalk. The plan proposes to replace the gravel drive with asphalt and restrict parking from within the front yard. Parking will be allowed in the side and rear yard only.

Sidewalk There is an existing sidewalk along 5th. The property slopes up away from 5th and there is a short limestone block retaining wall. The block wall is currently in need of repair. The plan proposes to repair the wall as needed.

Signs Sign details were not included with this SP submittal. Staff is recommending that only one building mounted sign be permitted. Building signs are attached directly to, or supported by brackets attached directly to a principal building. The building sign must not exceed 40 square feet in size. The sign may not be lit.

STORMWATER RECOMMENDATIONS No grading permit required.

FIRE MARSHAL RECOMMENDATION Reviewed: Conditional Approval

Approved based on no construction being done this application. Any new construction will require additional information.

PUBLIC WORKS RECOMMENDATION All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.

Typical Uses in Existing Zoning District: CF

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.69	2.578	77,485	1097	153	166

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Wrecker Service and Automobile Sales (Used)(942)	0.69	n/a	2,500	NA	8	9

Maximum Uses in Existing Zoning District: CF

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.69	5	150,282	1826	260	248

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Wrecker Service and Automobile Sales (Used)(942)	0.69	n/a	2,500	NA	8	9

STAFF RECOMMENDATION Staff recommends approval with conditions. The proposed SP Plan is in keeping with the Downtown Community Plan.

CONDITIONS

1. This SP is limited to wrecker service, automobile repair, and all uses allowed in the CF zoning district.
2. For any future redevelopment of the site, an SP Final Site Plan shall be required. The Final Site Plan shall meet the requirements of the SP district for wrecker services and auto repair uses and for uses permitted under the CF zoning district, the CF standards of the Zoning Code shall apply.
3. Signage shall be limited to one building sign only. Building signs shall not exceed 40 square feet, and shall not be lit.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CF zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions, **(8-0) Consent Agenda**

Resolution No. RS2009-27

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-004-001 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. This SP is limited to wrecker service, automobile repair, and all uses allowed in the CF zoning district.
2. For any future redevelopment of the site, an SP Final Site Plan shall be required. The Final Site Plan shall meet the requirements of the SP district for wrecker services and auto repair uses and for uses permitted under the CF zoning district, the CF standards of the Zoning Code shall apply.
3. Signage shall be limited to one building sign only. Building signs shall not exceed 40 square feet, and shall not be lit.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CF zoning district as of the date of the applicable request or application.
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7. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

The proposed SP-A district is consistent with the Downtown Community Plan’s policies, and the proposed site improvements will approve the properties appearance along 5th Ave. creating a better pedestrian environment.”